

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration Submitted With Initial Filing      **OR**       Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number	5063 US
First Named Inventor	Luz Montesclaros et al.
<b>COMPLETE IF KNOWN</b>	
Application Number	10/618,493
Filing Date	July 11, 2003
Art Unit	1632
Examiner Name	To be assigned

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS AND KITS FOR OBTAINING NUCLEIC ACID FROM  
BIOLOGICAL SAMPLES**

*(Title of the Invention)*

the specification of which

is attached hereto

OR

Was filed on (MM/DD/YYYY) 07/11/2003 as United States Application Number or PCT International

Application Number 10/618,493 and was amended on (MM/DD/YYYY)   (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

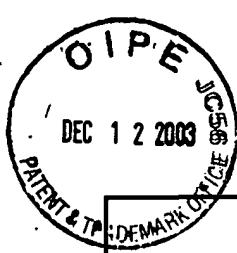
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. 39924\_1.DOC



## DECLARATION - Utility or Design Patent Application

Direct all correspondence to:

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PATENT TRADEMARK OFFICE

OR

Correspondence address below:

Firm or  
Individual Name

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City

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued hereon.

NAME OF SOLE OR FIRST INVENTOR:

A petition has been filed for this unsigned inventor.

Given Name LUZ  
(first and middle [if any])

Family Name MONTESCLAROS  
Or Surname

Inventor's  
Signature

Date

11/24/03

Residence: City Pittsburgh State CA Country US Citizenship Philippines

Mailing Address 2220 Woodhill Drive 2226 Chestnut Drive Date 11/24/03

City Pittsburgh State CA Zip 94565 Country US

NAME OF SECOND INVENTOR:

A petition has been filed for this unsigned inventor.

Given Name I. LAWRENCE  
(first and middle [if any])

Family Name GREENFIELD  
Or Surname

Inventor's  
Signature

Date Sept 24, 2003

Residence: City San Mateo State CA Country US Citizenship US

Mailing Address 242 Louise Lane

City San Mateo State CA Zip 94403 Country US

Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB02A attached hereto.

[Page 2 of 2]

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**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

	Application Number	10/618,493
	Filing Date	July 11, 2003
	First Named Inventor	Luz Montesclaros et al.
	Group Art Unit	1632
	Examiner Name	To be assigned
	Attorney Docket Number	5063 US
		Confirmation Number
		5407

I hereby appoint:

 Practitioners at Customer Number

22896

22896

**OR** Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

 The above-mentioned Customer Number.**OR**

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
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I am the:

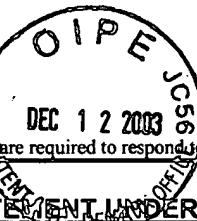
 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature			
Name	Scott R. Bortner, Senior Patent Attorney, Reg.# 34,298	Date	December 9, 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.\*

<input type="checkbox"/> * Total of _____ forms are submitted.
--

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Approved for use through 10/31/2002. OMB 0651-0035

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Luz Montesclaros and I. Lawrence GreenfieldApplication No./Patent No.: 10/618,493 Filed/Issue Date: July 11, 2003Entitled: Methods and Kits for Obtaining Nucleic Acid From Biological Samples

Applera Corporation, a Corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title and interest; or
2.  an assignee of less than the entire right, title and interest.  
 The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

In the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was transmitted via facsimile to the U.S. Patent and Trademark Office on December 9, 2003, for which a copy is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Dec. 9, 2003  
 Date

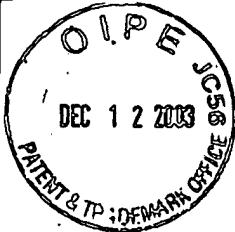
Scott R. Bortner

Typed or printed name

Signature

Senior Patent Attorney

Title



LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE  
REGARDING CERTAIN PATENT AND TRADEMARK MATTERS EFFECTIVE  
THROUGH: December 31, 2005

I, Paul D. Grossman, as Assistant Secretary of Applera Corporation ("Applera"), hereby authorize: Vincent M. Powers, Reg. No. 36, 246, Scott R. Bortner, Reg. No. 34,298, Jeffery D. Frazier, Reg. No. 34,601, and Andrew T. Karnakis, Reg. No. 27,909, all Senior Patent Attorneys, (1) to act on behalf of Applera, with regard to any matters before the United States Patent and Trademark Office, any foreign patent or trademark offices, and any international patent or trademark entities, (2) to execute power of attorney documents on behalf of Applera, to appoint and/ or establish any attorneys, agents, and/ or law firms to act on behalf of Applera, in any foreign or international patent or trademark applications filed with any foreign and/ or international patent or trademark offices, and (3) to execute assignment and ownership documents on behalf of Applera, with regard to any matters before the United States Patent and Trademark Office, any foreign patent or trademark offices, and any international patent or trademark offices.

Paul Grossman

1-9-03

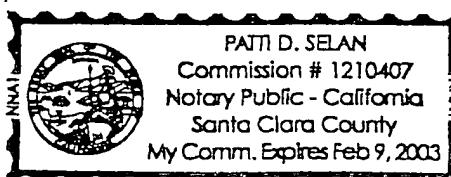
Paul D. Grossman  
Assistant Secretary, Appler Corporation

Date \_\_\_\_\_

State of California )  
 ) ss  
County of San Mateo )

On Jan. 9, 2003 before me, Patti D. Selan, Notary Public, personally appeared Paul D. Grossman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ie(s)), and that by his/her/their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Patti P. Salamone

## Notary Public